

**COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL  
STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.494 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

**DECLARATION OR OATH**

**I.** No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

**FEES**

**II.**

1. Fees for claims	\$0.00
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2. Surcharge fees	\$0.00
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**Total fees \$0.00**

**SMALL ENTITY STATUS**

**III.** A statement that this filing is by a small entity is attached.

**EXTENSION OF TIME**

35 U.S.C. § 371--page 2 of 5

(Completion of Filing Requirements for International Application Entering National Stage in Designated Office (DO/US) under

IV. The proceedings herein are for a patent application. The provisions of 37 C.F.R. § 1.1 36(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for three months.

**Fee \$ 435.00**

**TOTAL FEE DUE**

V. The total fee due is:

Completion fee(s)	\$ 0.00
Extension fee (if any)	\$ 435.00
 TOTAL FEE DUE	 \$435.00

**PAYMENT OF FEES**

VI.

Charge Account No. 50-0850 in the amount of \$ 435.00.  
A duplicate of this request is attached.

**FEE AUTHORIZATION**

VII.

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850. Any overpayments should be credited to the Deposit Account.

9/13/99

Reg. No. 30,628  
Tel. No.: (617) 345-6054



**Ronald I. Eisenstein**  
SIGNATURE OF PRACTITIONER

Ronald I. Eisenstein  
Nixon Peabody LLP  
101 Federal Street  
Boston , MA 02110.

35 U.S.C. § 371--page 3 of 5

(Completion of Filing Requirements for International Application Entering National Stage in Designated Office (DO/US) under

Practitioner's Docket No. 46793

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (DO/US)

Applicants: H. Fine et al.

Serial No.: 09/269,321

Filed: March 24, 1999

PCT/US97/17143	24 September 1997 (24.09.97)	24 September 1996 (24.09.96)
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F RESPONSE PROMETER

APPLICANT FOR DO/US: Fine, Howard; Kaelin, Jr., William

Box PCT  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231  
 ATTENTION: DO/US

## CERTIFICATION UNDER 37 C.F.R. 1.10\*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date 9-13-99 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL361721058US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Jonathan D. Lachance  
 (type or print name of person mailing paper)

  
 Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Completion of Filing Requirements for International Application Entering National Stage in Designated Office (DO/US) under  
 35 U.S.C. § 371--page 1 of 5)



U.S. APPLICATION NO.  
09/269,321

PATENT

FIRST NAMED APPLICANT

ATTY. DOCKET NO.  
46793

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PEABODY & BROWN  
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BOSTON MA 02110

5611

INTERNATIONAL APPLICATION NO.  
PCT/US97/17143

LA. FILING DATE 09/24/97  
PRIORITY DATE 09/24/96  
DATE MAILED: 05/11/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),  
 an Elected Office (37 CFR 1.495):  
 U.S. Basic National Fee.  
 Copy of the international application in:  
 a non-English language.  
 English.  
 Translation of the international application into English.  
 Oath or Declaration of inventors(s) for DO/EO/US.  
 Copy of Article 19 amendments.  
 Translation of Article 19 amendments into English.  
 The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.  
 Preliminary amendment(s) filed 24 May 1999 and \_\_\_\_\_.  
 Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
 Assignment document.  
 Power of Attorney and/or Change of Address.  
 Substitute specification filed \_\_\_\_\_.  
 Verified Statement Claiming Small Entity Status.  
 Priority Document.  
 Copy of the International Search Report  and copies of the references cited therein.  
 Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed:

PCT/DO/EO/917  
 PTO-875

Notice of Defective Translation

1007

*James Hunter*  
Telephone: 703 305-7181

See C